

Attorney Docket No. TEK03-1002

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below by my name;

I believe I am the original, first and sole inventor, if only one name is listed below, or an original, first and joint inventor if multiple names are listed below, of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD AND APPARATUS FOR DYNAMICALLY ALLOCATING UPSTREAM BANDWIDTH IN PASSIVE OPTICAL NETWORKS

for which a patent application:

is attached hereto.

was filed in the United States on _____ as Application No. _____;
 with amendment(s) filed on _____ (*if applicable*).

I hereby state that I have reviewed and understand the contents of the application identified above, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56, which states in relevant part:

Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section.... The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office....

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d), of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (Day, Month, Year)	PRIORITY CLAIMED
			YES <input type="checkbox"/> NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e), of any United States provisional application(s) listed below:

APPLICATION NUMBER	DATE OF FILING

I hereby claim the benefit under Title 35, United States Code, §120, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information that is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION NUMBER	DATE OF FILING	STATUS		
		PATENTED	PENDING	ABANDONED

I hereby appoint Daniel E. Vaughan (Reg. No. 42,199), Edward J. Grundler (Reg. No. 47,615), Hoyt Fleming (Reg. No. 41,752)



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PATENT TRADEMARK OFFICE

Attorney Docket No. TEK03-1002

and A. Richard Park (Reg. No. 41,241) of PARK, VAUGHAN & FLEMING LLP to prosecute this application and transact all business in the Patent and Trademark Office connected therewith, and to file, prosecute and transact all business in connection with international applications directed to said invention.

Address correspondence to:



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PATENT TRADEMARK OFFICE

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(530) 759-1661

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1	Name and Citizenship	John Ferdinand Sisto	United States
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	Postal Address (if different from Residence)	<i>[Signature]</i>	
	Signature and Date	<i>[Signature]</i>	Date 9/11/03
2	Name and Citizenship	Edward Wayne Boyd	United States
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3	Name and Citizenship	<i>[Signature]</i>	
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	Signature and Date		
5	Name and Citizenship		
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	Signature and Date		

Additional inventor name(s) and signature(s) attached?: YES NO